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Attorneys for Defendant  
FIRST STUDENT, INC.

*(Additional Counsel Listed on Following Page)*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JAMES MOTTY, an individual,  
Individually and on Behalf of All Others  
Similarly Situated

Plaintiffs,

v.

FIRST STUDENT, INC., an entity, and  
DOES 1 – 100, inclusive,

Defendants.

CASE NO. 2:15-cv-07463-ODW-Ex

*[Assigned to the Honorable Otis D.  
Wright II]*

**JOINT STIPULATION  
DISMISSING ACTION WITH  
PREJUDICE**

1 THE GILLAM LAW FIRM  
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10 Attorneys for Defendant  
11 FIRST STUDENT, INC.  
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1       **PLEASE TAKE NOTICE** that all parties in this action, Plaintiff JAMES  
2 MOTTY (“Plaintiff”), on the one hand, and Defendant FIRST STUDENT, INC.  
3 (“Defendant”), on the other, through their respective counsel of record, hereby  
4 stipulate and agree to voluntarily dismiss *with prejudice* all causes of action in the  
5 above referenced action, and this lawsuit in its entirety, pursuant to Rule  
6 41(a)(1)(A)(ii) of the *Federal Rules of Civil Procedure*.

7       Defendant FIRST STUDENT, INC. is the sole defendant named and  
8 appearing in this action, and Plaintiff has not previously dismissed any of the  
9 claims asserted in this lawsuit. While this lawsuit was filed as a putative class  
10 action, Plaintiff was unable to proceed on a class-wide basis. *See* Order Denying  
11 Motion for Class Certification, Dkt. 35. As a result, the instant suit is an individual  
12 action for the named Plaintiff.

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1 Accordingly, this matter may be dismissed *with prejudice* through the  
2 stipulation of all parties without an Order of the Court, pursuant to Rule  
3 41(a)(1)(A)(ii) of the *Federal Rules of Civil Procedure*.

4  
5 DATED: March 9, 2017

LAW OFFICES OF THOMAS W. FALVEY  
THE GILLAM LAW FIRM

6  
7 By: /s/ Armand R. Kizirian  
8 THOMAS W. FALVEY  
9 MICHAEL H. BOYAMIAN  
10 ARMAND R. KIZIRIAN  
11 CAROL L. GILLAM  
12 SARA HEUM  
13 Attorneys for Plaintiff James Motty

14 DATED: March 9, 2017

LITTLER MENDELSON, P.C.

15  
16 By: /s/ David J. Dow  
17 THEODORE R. SCOTT.  
18 DAVID J. DOW  
19 O. MISHALL P. TAYLOR  
20 HEATHER L. SHOOK  
21 LITTLER MENDELSON, P.C.  
22 Attorneys for Defendant  
23 FIRST STUDENT, INC.  
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**ATTESTATION**

I hereby attest that the concurrence in the filing of this document has been obtained from David J. Dow, of Littler Mendelson, P.C., Attorneys for Defendant.

DATED: March 9, 2017

By: /s/ Armand R. Kizirian

Armand R. Kizirian

Attorneys for Plaintiff